

FISCAL NOTE

Bill #: SB0215

Title: Increase maximum negligent homicide penalty

Primary Sponsor: Sue Bartlett

Status: As introduced

| | | | |
|-------------------|------|-----------------------------|------|
| Sponsor signature | Date | Dave Lewis, Budget Director | Date |
|-------------------|------|-----------------------------|------|

Fiscal Summary

| | <u>FY2000 Difference</u> | <u>FY2001 Difference</u> |
|--|-------------------------------------|-------------------------------------|
| Expenditures: | \$0 | \$0 |
| Revenue: | \$0 | \$0 |
| Net Impact on General Fund Balance: | \$0 | \$0 |

| | | | | | |
|-------------------|------------------|----------------------------------|-------------------|------------------|-------------------------------|
| <u>Yes</u> | <u>No</u> | | <u>Yes</u> | <u>No</u> | |
| | X | Significant Local Gov. Impact | | X | Technical Concerns |
| | X | Included in the Executive Budget | | X | Significant Long-Term Impacts |

Fiscal Analysis

ASSUMPTIONS:

1. This bill would increase the maximum sentence for negligent homicide from 10 to 20 years. Given that the current maximum sentence for negligent homicide for offenders is 10 years, the Department of Corrections (DOC) assumes that it will not experience the financial impact of this increased maximum sentence until future biennia.
2. The current average net sentence granted between 1994-1998 for negligent homicide is 8.6 years. The DOC cannot project if the judicial system will materially change its sentencing patterns with the change in this law.

3. A DOC review of offender files for individuals sentenced in FY 1996 through FY 1998 revealed that approximately 16% of those who were charged with negligent homicide received the maximum sentence of 10 years with no time suspended or deferred. During this same time frame, 35% received the maximum sentence with some of the sentence suspended.
4. Given assumptions one through three, the DOC assumes that it will not experience impact from this bill in the 2001 biennium.
5. There is no fiscal impact to the Department of Justice.
6. There is no fiscal impact to the state-funded Judiciary.

LONG-RANGE IMPACTS:

By increasing the maximum sentence for negligent homicide, this bill may impact the DOC in the FY 2010 and beyond. This bill may increase correctional facility populations in these years. This impact is not financially measurable because there are no cost per day estimates this far into the future. Assuming that the number of offenders sentenced to maximum sentences remains constant, (8 were sentenced from FY 1996 through FY 1998) it can expect the following cumulative impact in population:

| <u>Fiscal</u> <u>Year</u> | <u>Increase in</u> <u>Offenders</u> |
|--|--|
| 2010 | 3 |
| 2011 | 6 |
| 2012 | 9 |
| 2013 | 12 |
| 2014 | 15 |
| 2015 | 18 |
| 2016 | 21 |
| 2017 | 24 |
| 2018 | 27 |
| 2019 | 30 |
| 2020 | 30 |

This bill may also increase Probation and Parole caseloads; offenders may receive the maximum sentence with more time suspended, which increases the overall time under supervision.